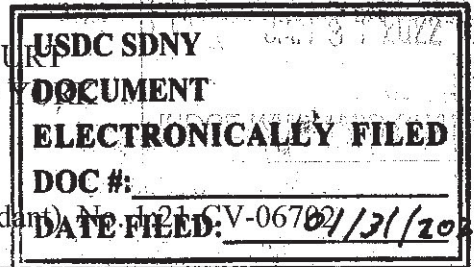


MEMO ENDORSED

Copy mailed by
chambers. AMIN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE:

VIRGINIA GIUFFRE (Plaintiff), v. PRINCE ANDREW (Defendant), No. 1:21-cv-06702



**EMERGENCY PETITION FOR AN EVIDENTIARY HEARING
TO REVIEW EVIDENCE THAT CONSTITUTIONALLY AND STATUTORILY
REQUIRES GRANTING A MOTION TO DISMISS WITH PREJUDICE IN THIS CASE**

BROUGHT BY MR. WALTER LEE, PRO SE (Petitioner)

BROUGHT BEFORE U.S. DISTRICT JUDGE LEWIS A. KAPLAN
(Certified #7021 0350 0001 1536 2233 ~ Certified Mailing Date: 24 Jan 22)

The Petitioner presents evidence the Defendant cannot receive a fair trial in the United States of America, because the U.S. Supreme Court and lower Courts created by Congress do not support the U.S. Constitution as the supreme law of the United States of America.

MOTIVE FOR MURDER

Ex. 1. In Walter Lee v. John Ashcroft, No. 01-2610 former U.S. District Judge Thomas P. Jackson, RIP presided over this case where the Petitioner legally challenged the Constitutionality of the ruling of the U.S. Supreme Court in George W. Bush v. Albert Gore, 531 U.S. 98 (2000).

The Petitioner argued the seriousness of the alleged offenses warranted the Attorney General to present the evidence to a grand jury IAW the applicable and controlling law.

Judge Jackson issued an Order that essentially contained three conflicting rulings.

1st Ruling – The case is frivolous and fails to state a claim.

2nd Ruling – The success of plaintiff's claims necessarily requires the invalidation of the current presidency

3rd Ruling – The legitimacy of the presidency of the United States is a moot point

COMMENTARY

Any case that challenges the ruling of the U.S. Supreme Court and prompts a federal judge to rule the success of the case would invalidate the current presidency of the United States can never be legally considered frivolous; nor does the case fail to state a claim when the Petitioner has the right to petition the AG and the Court to present this evidence to a grand jury. Finally, any case challenging the legitimacy of the POTUS is never a moot point because the American People are entitled to a President who was legally and lawfully elected to sit as the President of the United States IAW the applicable, controlling/governing provisions in the U.S. Constitution.

Donald Trump received his fill of going into court, after court, after court legally challenging the legitimacy of the Joe Biden presidency, proving a legal challenge to the legitimacy of the Biden presidency was not ruled to be frivolous or moot by any federal judge. *Stare decisis anyone!*

The Petitioner argued the inability of the U.S. Supreme Court to defeat the Petitioner's argument statutorily proves the U.S. Supreme Court is guilty of High Treason and Rebellion, et al.

The Petitioner further argued the commission of high crimes by the U.S. Supreme Court is not only evidence of the commission of impeachable and criminally prosecutable offenses, but that from the offending date of the commission of these high crimes, et al, the U.S. Supreme Court no longer possessed the constitutional/statutory authority to exercise the sovereign judicial powers of the American People to sit in judgement of cases and controversies.

MOMENT TO DIGRESS:
A FEW CASES FILED PRIOR TO LEE v ASHCROFT

In Walter Lee v. George W. Bush, No. 01-1944, I challenged all laws signed by President George W. Bush on the grounds President George W. Bush lacks the Constitutional Authority to Exercise the Executive Powers of the American People to sign any bill into law.

In Walter Lee v George W. Bush, No. 01-1951, I challenge all nominations that are made by President George W. Bush on the grounds President George W. Bush lacks the Constitutional Authority to Exercise the Executive Powers of the American People to nominate any person to sit in a Federal Post.

In Walter Lee v George W. Bush, No. 01-2252, I challenged President George W. Bush's authority to send service men and women into War on the grounds President George W. Bush is not a possessor of the Constitutional Authority to Exercise the Executive Power of the American People to send our military men and women into War.

All of the aforementioned cases were dismissed with prejudice because the U.S. Supreme Court could not then, nor can they today defeat the merits of the Petitioner's argument.

Due to the Petitioner's ongoing litigation in various federal and state courts and the level of trepidation of the Petitioner exhibited by federal and state judges in these courts, the Petitioner wanted a record the U.S. Constitution is supported as the supreme law of the United States of America by the Judicial Branch of the U.S. Government.

This led to Walter Lee v. U.S. Dist Court for the Dist of Arizona, No. 02-1418 (PHX-SLV)

Ex. 2. – On 12 Aug 02, U.S. Magistrate Judge Stephen L. Verkamp, issued a ruling that denied the Petitioner's motion for the appointment of competent legal counsel; denied the Petitioner's motion for oral argument in support of appointing the Petitioner competent legal counsel; denied the Petitioner's motion for a copy of the local rules of the court; and denied the Petitioner's motion to acknowledge the U.S. Constitution is the supreme law of the United States of America

This led to Walter Lee v. Stephen L. Verkamp, No. 02-1643 (PHX-SLV)

Ex. 3. – On 6 Sep 02, U.S. District Chief Judge John W. Sedwick of the U.S. District Court for the District of Alaska responded to my claim seeking 100m dollars where I accuse federal officials (U.S. Supreme Court and former U.S. District Judge Mary H. Murguia, currently on the 9th Cir.) of plotting to kill me because of the merits of my claims. The inability of the U.S. Supreme Court to defeat the Petitioner's argument proves any person who petitioned the U.S. Supreme Court for a stay of their execution after the offending date, and their petition was denied, and as a result they were executed, then they were deprived of their right to due process which includes going before a tribunal with the power to decide their case which is an act of 1st degree, premeditated murder!

Now consider the response of the U.S. Government after being accused of plotting to commit the Capitol high crime of 1st degree premeditated murder.

"While Mr. Lee's claims of a conspiracy to commit premeditated murder through the ruse of a court order strain credulity, even if they were true, his claims would not suffice to breach the barrier created by the doctrine of judicial immunity. That bulwark has been erected of necessity to protect an interest more important than redress in any particular case, society's interest in an independent and impartial judicial system."

The U.S. Government does not deny, dispute, or attempt to disprove they conspired to murder me, the U.S. Government responds by saying it is hard to believe the U.S. Government would conspire to murder me! Well, when the Petitioner filed this case seeking monetary damages in excess of twenty dollars, the Petitioner's 5th and 7th amendments rights to due process and equal protection of the laws in a public trial by jury were invoked, thereby proving this defense and any other defense offered by the U.S. Government must be made in a public trial by jury.

The U.S. Government also ruled that a doctrine of man has been created and erected by the federal judiciary to such heights until it is now interpreted as being more important, and therefore superior to the U.S. Constitution and our right to petition the Government for the redress of our grievances

The Petitioner contends this ruling is sufficient credible evidence to prove the district court refused to support the supremacy of the U.S. Constitution and the rights, privileges, and immunities therein and therefore is guilty of an act to rebel against the authority and laws of the United States of Am.

This led to Walter Lee v. Stephen L. Verkamp, No. 02-16883 (PHX-SLV)

Ex. 4 – On 8 Jan 03, former Chief Judge Mary Schroeder of the 9th Circuit U.S. Court of Appeals denied the Petitioner's appeal because the Petitioner was too poor to pay the costs to litigate the merits of the appeal and thereby placed on the legal record the 9th Circuit U.S. Court of Appeals knowingly engaged in a criminal conspiracy with the District Court to rebel against the authority and laws of the United States in violation 18 USC 2383 to deprive the Petitioner of his 5th and 7th amendment rights to due process and equal protection of the laws in violation of 18 USC 241.

This ruling is sufficient credible evidence to prove the appellate court does not support the supremacy of the U.S. Constitution and our rights therein, and knowingly engaged in a criminal conspiracy with the district court to commit impeachable and criminally prosecutable offenses.

This led to the letter from Chief Justice John G. Roberts (the petition was brought before him).

Ex. 5 – On 10 May 07, Chief Justice John G. Roberts refused to docket my petition for a writ of certiorari and in the process upheld the lower court's rulings that the U.S. Constitution is not supported as the supreme law of the United States by the U.S. Government because the U.S. Government supports doctrines and precedents as the supreme law of the United States; the U.S. Government can conspire to murder a person for exercising their civil rights with impunity; the U.S. Government can conspire to create law in the form of doctrines and precedents, the U.S. Government can deprive a person of their rights because of their impoverished status, all of which represents the commission of impeachable/criminally prosecutable offenses by the U.S. Supreme Court; who also denied my emergency petition for a moratorium on the death penalty even though the U.S. Government did not file a brief in opposition IAW USSC Rule 15(2)!

This letter is sufficient credible evidence proving the district court, the appellate court and the U.S. Supreme Court do not support the supremacy of the U.S. Constitution proving Prince Andrew cannot receive a fair adjudication of his case in the United States of America, thereby necessitating this Court to issue an Order to dismiss with prejudice.

Ex. 6 – Letter dated 15 Aug 05 from President George W. Bush

Ex. 7 – Letter dated 12 Aug 15 from President Barack Obama

No Response from President Donald Trump or President Joe Biden regarding these issues

FOR THE RECORD

IAW Article III, Sec. 1 of the U.S. Constitution every Article III judge must be sitting in good behavior to possess the constitutional authority to exercise the sovereign judicial powers of the American People. When sitting in good behavior is legally defined as the standard of conduct by which a judge is considered fit to continue their tenure in office, and that standard includes not committing any high crimes or misdemeanors in violation of Art. II, Sec. 4 of the U.S. Constitution, then you must prove you are not guilty of committing any high crime or misdemeanor.

FEDERAL QUESTIONS

1st Federal Question: U.S. District Judge Lewis A. Kaplan, do you support the U.S. Constitution and all rights, privileges and immunities therein as the supreme law of the United States of Am?

2nd Federal Question: U.S. District Judge Lewis A. Kaplan, are you sitting in good behavior?

3rd Federal Question: U.S. District Judge Lewis A. Kaplan, have you deprived and or aided and abetted the deprivation of a person's life, liberty or property without due process of law?

4th Federal Question: U.S. District Judge Lewis A. Kaplan, do you recognize Prince Andrew as a full human being and a person entitled to due process and equal protection of the laws in this case?

5th/6th Federal Questions: U.S. District Judge Lewis A. Kaplan, what does the U.S. Constitution say must happen next when the Petitioner's 5th and 7th amendment rights have been invoked yet the district court, appellate court and supreme court have refused to support the Petitioner's rights to due process/equal protection of the laws in a public trial by jury, yet these rights are preserved and are the justices on the U.S. Supreme Court sitting in good behavior?

INTERNAL PETITION TO PRESIDENT JOE BIDEN

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

President Biden, this is your oath office yet you repeatedly refused to support the supremacy of the U.S. Constitution, my civil rights and the collective civil rights of the American People. This allows precedents to stand that says the government can murder a person for exercising their 1st amendment civil rights; the government can conspire to deprive a person of their civil rights due to their impoverished status; and the government supports doctrines and court precedents as the supreme law of the United States of America instead of the U.S. Constitution.

Now, based on these facts why would anyone want to vote for you when they already know you have dishonored your pledge of allegiance to the flag of the United States of America and to the Republic for which it stands, and disobeyed your publicly sworn oath of office to your God to support the supremacy of the U.S. Constitution and our civil rights?

I have exhausted the judicial remedies available to me to obtain due process and equal protection of the laws in a public trial by jury, even so these rights are still just as valid and enforceable today as the day they were invoked. When you swore an oath to take care that the laws are faithfully executed and my 5th and 7th amendment rights are the supreme law of the United States of America, you must recognize the U.S. Government is in default because I cannot obtain due process and equal protection of the laws in a public trial by jury in the legislature or executive, and these facts support my petition for you to issue an executive Order to award me the 100m dollars sought in the complaint, and you must convene both houses of Congress with instructions for the Supreme Court to appear and give sworn testimony as to why they refuse to support the supremacy of the U.S. Constitution and our collective rights, privileges and immunities therein.

The inability of the U.S. Supreme Court to defeat my argument is sufficient evidence to prove they did not possess the constitutional authority to exercise the sovereign judicial powers of the American People in *Shelby County v. Holder*, 570 U.S. 529 (2013).

This fact necessitates the House to impeach and the executive to prosecute the supreme court and upon their conviction overturn this and all other rulings impacted by their criminal behavior on the grounds it violates the supremacy clause of the U.S. Constitution, et al.

This will establish the legal basis for repealing all state laws that infringe upon our right to vote.

Additionally, any Governor in a death penalty state who allowed the execution of a Citizen in their state who is later found to have been deprived of their life without due process of law is guilty of aiding and abetting 1st degree premeditated murder. Every Governor is bound by an oath to support the supremacy of the U.S. Constitution which includes the 14th amendment's prohibition against depriving a person of their life, liberty or property without due process and equal protection of the law. This proves Governor's Brian Kemp, Ron Desantis and Greg Abbott, and many other Governors are guilty of multiple counts of 1st degree premeditated murder.

The inability of theses Governor's, et al, to defeat my argument proves from the offending date they no longer possessed the constitutional authority to exercise the sovereign executive powers of the Citizens in their State. This fact proves any bill they signed into law and executive Order they issued after the offending date is unconstitutional and must be repealed/rescinded, which includes the signing of legislation and executive Orders pertaining to voting rights restrictions.

There is a legal argument supported by the U.S. Constitution whereby the House and Senate can craft legislation for a 6t BBB plan and pass it in both houses and send it to you to sign into law, because this argument makes the votes of U.S. Senators Manchin and Sinema irrelevant!

If you need assistance on how to pay for it, all you have to do is ask me, and if your USAG is ignorant of the constitutional laws supporting this argument all you have to do is ask me.

On 10 Sep 21, I wrote Charles P. Rettig, Commissioner of the IRS asking him about the status of the audit of Donald Trump, but like so many other officials he was afraid to respond to my letter

So, what is the status of Donald Trump's tax audit, and why has USAG Garland not investigated the 10 instances laid out in the Mueller Report where Donald Trump may be guilty of obstruction of justice, and other high crimes/misdemeanors and issued a report confirming or denying them?

However, there is an argument proving Donald Trump is guilty of tax evasion, and the inability of the U.S. Government to defeat my argument invalidates Trump's entire presidency which includes nullifying the tenure of every Art. III judge he nominated/was confirmed by the Senate to include supreme court justices Neil Gorsuch, Brett Kavanaugh and Amy Coney Barrett. So, obtain the final report from the IRS regarding the audit of Donald Trump and give me a copy.

There are reports of you thanking the African American community for having your back when you needed it the most, and with U.S. Rep. James Clyburn, (D-SC) at the helm, you were voted by the American People to be the 46th President of the United States of the America.

Unfortunately, when you repeatedly refuse to support my civil rights, and I hear you refused to assist the Black Farmers Association in their case, yet your VP is Black and Cedric Richmond is part of your administration, I am left wondering why you differentiate between supporting some African Americans and not all African Americans. When I take note that one similarity between the BFA and myself is that we are both fighting for our rights, I wonder if that is the reason.

Now, I want you to consider how hypocritical it is for U.S. Officials to talk about the rigging of a presidential election in a foreign nation when you have physical evidence in the form of a federal court Order that a federal judge ruled the success of my claim challenging the constitutional and statutory legitimacy of Bush v. Gore would invalidate the presidency of the United States.

How hypocritical it is for U.S. Officials to talk about the human rights abuses and violations in other countries when you have in your possession a federal court Order that says a person can be murdered by the government for exercising their 1st amendment right to redress?

How hypocritical it is for U.S. Officials to talk about the civil rights violations in other countries when you have in your possession a federal court Order that says the U.S. Government refuse to acknowledge the U.S. Constitution is the supreme law of the United States of America?

Then you people have the audacity to talk about American Exceptionalism when you deprive the American People of their life, liberty and property without due process of law.

The other day I was watching a segment on 60 minutes regarding INTEL and I learned that in 2020, INTEL made 78b dollars, but instead of taking this revenue and reinvesting it back into their company via research and development and upgrades to their facility, the leadership of INTEL chose to line their pockets via stock buybacks; and this is at a time when INTEL does not possess the level of intelligence necessary to produce the high speed semiconductors needed by company's like Apple, Amazon, the Automotive Industry, U.S. Military and Microsoft, et al.

Then I find out part of this infrastructure bill includes 50b dollars to INTEL! When INTEL did not work for this 50b dollars, nor did they earn this 50b dollars, they were just given 50b dollars of our taxes to do what they should have done with that 78b dollars in revenue they generated, this is a microcosm of why this current economic system cannot continue in its present form.

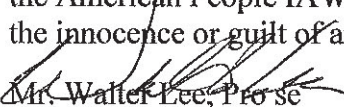
Now, because of the chronic stress of worrying about being murdered by the government because they cannot defeat my arguments, I am currently being treated for sleep apnea, et al

Therefore, I am going to start sending my medical bills to you, since the federal government is responsible for bringing about these medical ailments and all you have to do is support my civil rights and I will be able to cover the costs of all of my medical bills, but in the meantime I will continue to share my thoughts and opinions on matters of law to my creditors and beyond.

FOR THE RECORD

IAW 28 USC 1915(e)(1) The court ¹may request an attorney to represent any person unable to afford counsel.

The Petitioner is poor and there is a legal and public record in U.S. District Courts across the United States attesting to this fact. Due to the demonstrated level of ignorance and contempt of Constitutional/Statutory U.S. Laws exhibited by attorneys at every stage of their legal career, I reserve the right to choose my own, because contrary to what you think you know about the law, every person who goes before a judge or any other tribunal where their rights, privileges and or immunities are asserted they are entitled to competent legal counsel to ensure their rights, et al are supported as the supreme law of the United States of America. Also, the U.S. Constitution and U.S. Law made pursuant to the U.S. Constitution establishes the final arbiters/interpreters of constitutional/statutory U.S. Law is not a judge, per Marbury v. Madison, 5 U.S. 137, (1803), but the American People IAW the Sovereignty and Due Process Clauses. Finally, this is not about the innocence or guilt of anyone, but supporting the supremacy of the U.S. Constitution.


Mr. Walter Lee, Pro se
P.O. Box 92
Warsaw, VA 22572

Judge Lewis A. Kaplan
USDC Southern District of NY
Daniel Patrick Moynihan USCH
500 Pearl St.
New York, NY 10007-1312

President Joe Biden
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

David Boies, II
Attorney at Boies, Schiller & Flexner LLP (Armonk)
333 Main Street
Armonk, NY 10504

Andrew Brad Brettler
Attorney at Lavelly & Singer Professional Corp
2049 Century Park East, Suite 2400
Los Angeles, CA 90067.

The Hon. Boris Johnson, PM
United Kingdom
10 Downing Street
South West London
SW1A 2AA, UK

Richard Sharp, Chairman
Board of Trustees, BBC
BBC Comments
PO Box 1922,
Darlington,
DL3 0UR.

¹ The word "may" will one day be changed to "shall", because this U.S. Law in its present form is not made pursuant to the supremacy clause nor the due process clause of the U.S. Constitution, et al. You people are going to pay me for all of this legal education I am and have been providing you in legal documents over the years.

Memorandum Endorsement

Giuffre v. Prince Andrew, 21-cv-6702 (LAK)

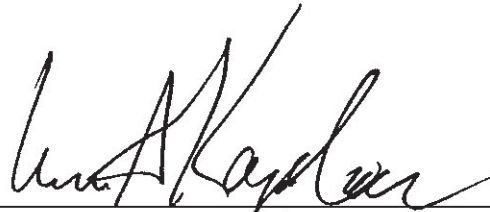
The self-described *pro se* “petitioner” seeks dismissal of this case on the theory that the Supreme Court and the lower courts of the United States “do not support the U.S. Constitution as the supreme law of the United States” and makes other remarks that need not be summarized.

The petitioner is not a party to this case and therefore has no right to seek dismissal or any other relief on any ground. Construing his papers as an application to intervene, the application is denied. He certainly has alleged nothing that would give him a right to intervene under Rule 24(a). Nor has he asserted anything that would permit the Court, were it so minded, to permit him to intervene in the exercise of its discretion.

Accordingly, the application is denied in all respects. Petitioner can rest assured that the defendant’s able counsel are up to the task of advancing any possible meritorious contention that they think warranted.

SO ORDERED.

Dated: January 31, 2022

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", is written over a horizontal line.

Lewis A. Kaplan
United States District Judge